

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 14, 2009

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, April 14, 2009.

Mayor Warmington opened the meeting with a prayer from Vice Mayor Gawron after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Lawrence Spataro, Sue Wierengo, Steve Wisneski, Chris Carter, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker. Commissioner Clara Shepherd arrived at 5:35 p.m.

2009-32 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, March 24th.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. City – MDOT Agreement for the Reconstruction of Getty Street from Marquette Avenue to Access Highway. ENGINEERING

SUMMARY OF REQUEST: To approve the contract with MDOT for the resurfacing of Getty Street from Marquette Avenue to Access Highway and to approve the resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT: MDOT's participation is limited to the federal funds of \$209,500. The estimated total construction cost is \$227,800.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approve the contract and resolution and authorize the Mayor and Clerk to sign both.

C. City – MDOT Agreement for the Reconstruction of Harvey Street from Oak to Marquette. ENGINEERING

SUMMARY OF REQUEST: To approve the contract with MDOT for the reconstruction of Harvey Street between Oak and Marquette and to approve the resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT: MDOT's participation is limited to the federal funds of \$200,000. The estimated total construction cost is \$331,000.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approve the contract and resolution and authorize the Mayor and Clerk to sign both.

E. Intake Crib Inspection. WATER FILTRATION

SUMMARY OF REQUEST: To authorize staff to enter into a contract with Solomon Diving, Incorporated, to perform the intake crib inspection project.

FINANCIAL IMPACT: The bid cost is \$12,225 and is included in this year's budget.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends the Mayor and City Commission authorize staff to enter into a contract with Solomon Diving, Incorporated, the lowest responsible bidder, to perform the Intake Crib Inspection project at a cost of \$12, 225.

F. Annual Sodium Hypochlorite Purchase. WATER FILTRATION

SUMMARY OF REQUEST: Authorize staff to endorse the lowest responsible bidder and enter into the necessary agreement for Rowell Chemical to supply the needed sodium hypochlorite to the Water Filtration Plant.

FINANCIAL IMPACT: The cost of the sodium hypochlorite is \$140.40 per ton.

BUDGET ACTION REQUIRED: None, this item is a planned budget purchase.

STAFF RECOMMENDATION: Authorize staff to endorse the bid of \$140.40 per ton from Rowell Chemical to supply sodium hypochlorite for the Water Filtration Plant.

G. Fireworks Display Permit for Muskegon Country Club. CITY CLERK

SUMMARY OF REQUEST: Melrose Pyrotechnics, Inc. is requesting approval of a fireworks display permit for July 4, 2009, at the Muskegon Country Club, 2801 Lakeshore Drive. Fire Marshall Metcalf will inspect the fireworks on the day of the event. The insurance coverage has been approved.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks.

H. Recommendations for the Various Boards and Committees.
COMMUNITY RELATIONS COMMITTEE

SUMMARY OF REQUEST: Concur with the Community Relations Committee decision to appoint to the Citizen's Police Review Board Charlotte Bradshaw (Citizen at Large) and Carlos Flores (Minority Based Organization).

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

COMMITTEE RECOMMENDATION: The Community Relations Committee recommended approval at their April 6th meeting.

I. Multiple Special Events with Alcohol. LEISURE SERVICES

SUMMARY OF REQUEST: To approve the requests for the listed organizations who are requesting a temporary liquor license or an extension of their liquor license.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

COMMITTEE RECOMMENDATION: The Leisure Services Board has approved the requests.

J. Transmittal of 2008 Comprehensive Annual Financial Report. FINANCE

SUMMARY OF REQUEST: The City's 2008 *Comprehensive Annual Financial Report* (CAFR) has been distributed to City Commissioners and made available for public review. At this time, the CAFR is being formally transmitted to the Commission in accordance with state law. The 2008 CAFR also includes the "single-audit" of federal grant programs.

FINANCIAL IMPACT: The CAFR report summarizes the City's financial activities for 2008 and includes the independent auditor's unqualified opinion on the City's financial statements.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Acceptance of the 2008 CAFR.

Motion by Commissioner Carter, second by Commissioner Wierengo to approve the Consent Agenda as read minus item D.

ROLL VOTE: Ayes: Spataro, Warmington, Wierengo, Wisneski, Carter, Gawron, and Shepherd

Nays: None

MOTION PASSES

2009-33 ITEM REMOVED FROM THE CONSENT AGENDA:

D. City – MDOT Agreement for the Traffic Signal Upgrading Work.
ENGINEERING

SUMMARY OF REQUEST: To approve the contract with MDOT for the traffic signal upgrading work and to approve the resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT: MDOT's participation is limited to the federal funds of \$247,700. The estimated total construction cost is \$247,700.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: Approve the contract and resolution and authorize the Mayor and Clerk to sign both.

Motion by Commissioner Wisneski, second by Commissioner Carter to approve the MDOT Agreement for the traffic signal upgrading work.

ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Carter, Gawron, Shepherd, and Spataro

Nays: None

MOTION PASSES

2009-34 PUBLIC HEARINGS:

A. Parks and Recreation Master Plan. PLANNING & ECONOMIC
DEVELOPMENT

SUMMARY OF REQUEST: To adopt the updated Parks and Recreation Master Plan.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the resolution and to authorize both the Mayor and the Clerk to sign said resolution and the checklist for the State.

COMMITTEE RECOMMENDATION: The Leisure Services Board held the public hearing at their regular meeting of March 16, 2009. The Leisure Services Board recommended approval at their special meeting of March 30, 2009, with additional changes.

The Public Hearing opened to hear and consider any comments from the public. No comments were made.

Motion by Commissioner Spataro, second by Commissioner Wierengo to close the Public Hearing and adopt the Muskegon Parks and Recreation Master Plan.

ROLL VOTE: Ayes: Wierengo, Wisneski, Carter, Gawron, Shepherd, Spataro, and Warmington

Nays: None

MOTION PASSES

2009-35 NEW BUSINESS:

- A. Sale of Madison Street Fire Station, 1774 Madison. PLANNING & ECONOMIC DEVELOPMENT **ITEM REMOVED PER REQUEST OF STAFF**
- B. Sale of Parking Lot to 297 Clay Condominium Owners Association, Inc. CITY MANAGER

SUMMARY OF REQUEST: To approve a sale of an existing parking lot adjacent to 297 Clay to 297 Clay Condominium Owners Association, Inc. for \$20,000 under a land contract. The property is currently leased for parking purposes for 297 Clay.

FINANCIAL IMPACT: Sale of property for \$20,000 under a land contract plus back taxes and past due rent.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the sale and authorize the Mayor and Clerk to sign all documents necessary for this transaction.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to approve the sale of the parking lot to 297 Clay Condominium Owners Association, Inc.

ROLL VOTE: Ayes: Wisneski, Carter, Gawron, Shepherd, Spataro, Warmington, and Wierengo

Nays: None

MOTION PASSES

- C. Collective Bargaining Agreement with Service Employees International Union (SEIU) Local 517M, Unit 2, for Years 2009 – 2011. CITY MANAGER

SUMMARY OF REQUEST: To approve the tentative agreements with SEIU Local 517M, Unit 2, for years 2009-2011.

FINANCIAL IMPACT: Information provided separately.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the tentative agreements and authorize the Mayor and Clark to execute the agreement.

Motion by Vice Mayor Gawron, second by Commissioner Shepherd to approve the Collective Bargaining Agreement with Service Employees International Union (SEIU) Local 517M, Unit 2, for the years 2009-2011.

ROLL VOTE: Ayes: Carter, Gawron, Shepherd, Spataro, Warmington, Wierengo, and Wisneski

Nays: None

MOTION PASSES

- D. Community Action Trailer. CITY CLERK

SUMMARY OF REQUEST: The Community Promotion Committee has located sponsors and is requesting to place the removable banner on the trailer promoting the trailer as a community cleanup trailer. It is hoped that the advertisement will bring forth more organizations willing to donate their time to provide lawn care services in various locations at no cost. Areas may include places such as Seaway Drive, downtown, neighborhood associations, etc.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: The Director and Assistant Director of Public Works met with the Community Promotion Committee of the Muskegon Chamber last summer regarding the project and the City Clerk serves on the committee. All recommended approval.

Motion by Commissioner Carter, second by Commissioner Spataro to approve the work to be done to the Community Action Trailer.

ROLL VOTE: Ayes: Gawron, Shepherd, Spataro, Warmington, Wierengo, Wisneski, and Carter

Nays: None

MOTION PASSES

2009-36 ANY OTHER BUSINESS: Commissioner Spataro asked to reconsider the motion from last night to authorize the expenditure of \$800 for an ad in the upcoming Sesquicentennial Magazine in the Chronicle.

Motion by Commissioner Spataro, second by Vice Mayor Gawron that the City purchase a half-page ad in the Muskegon Chronicle commemorating the 150 year Sesquicentennial of Muskegon County.

ROLL VOTE: Ayes: Spataro, Warmington, Wierengo, Carter, and Gawron

Nays: Shepherd and Wisneski

MOTION PASSES

ADJOURNMENT: The City Commission Meeting adjourned at 5:59 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk